

NUTS*

26940. Shelled almonds. (F.D.C. No. 43707. S. Nos. 3-453/4 P, 42-606 P, 49-330 P, 56-393 P.)

INFORMATION FILED: 2-1-60, N. Dist. Calif., against the California Almond Growers Exchange, a corporation, Sacramento, Calif.

SHIPPED: Between 11-26-58 and 1-12-59, from California to Virginia, Washington, and Georgia.

LABEL IN PART: (Ctn. and bag) "California Shelled Almonds Blue Diamond Almonds Brand Variety Mission Select Sheller Run [or "Fancy Almonds * * * Blue Diamond Brand," "Blue Diamond Brand California Shelled Almonds Fine Steel Cut" or "California Shelled Almonds Blue Diamond Brand * * * Fancy Almond Blanched Splits"] Packed by California Almond Growers Exchange Sacramento, California."

CHARGE: 402(a)(3)—contained rodent hairs and *E. coli*; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-11-60. \$500 fine.

26941. Shelled peanuts. (F.D.C. No. 42072. S. Nos. 19-951/2 P.)

QUANTITY: 264 125-lb. bags at Crete, Nebr.

SHIPPED: 3-24-58, from Troy, Ala., by Alabama Warehouse Co., Inc.

LIBELED: 8-8-58, Dist. Nebr.

CHARGE: 402(a)(3)—contained insects and dirty, moldy, rancid, and decomposed nuts when shipped.

DISPOSITION: 12-11-58. Consent—claimed by J. F. Garvey Co., Lincoln, Nebr., and converted to animal feed.

26942. Shelled walnuts and shelled almonds. (F.D.C. No. 43256. S. Nos. 10-194 P, 13-227 P, 27-027 P.)

INFORMATION FILED: 10-20-59, N. Dist. Calif., against T. M. Duche & Sons, Inc., a corporation, Orland, Calif.

SHIPPED: Between 10-10-58 and 10-17-58, from California to New York, Illinois, and Minnesota.

LABEL IN PART: (Ctn.) "California Shelled Walnuts T. M. DUCHE AND SONS, INC. * * * SMALL LIGHT AMBER CUT PIECES [or "STANDARD HALVES & PIECES"]," and "CALIFORNIA SLICED ALMONDS T. M. DUCHE AND SONS, INC."

CHARGE: 402(a)(3)—contained insects, insect fragments, insect excreta, and rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court without a jury on 11-20-59. The trial was concluded on the same day with a judgment of guilty. On 12-30-59, the defendant was fined \$750.

26943. Unshelled brazil nuts. (F.D.C. No. 45160. S. No. 40-255 R.)

QUANTITY: 102 cases, 24 1-lb. bags each, at Granite City, Ill.

*See also Nos. 26874, 26948.

SHIPPED: 10-11-60, from Dallas, Tex.

LIBELED: 11-23-60, S. Dist. Ill. ✓

CHARGE: 402(a)(3)—contained insect-infested, rancid, moldy nuts, and empty shells while held for sale.

DISPOSITION: 12-22-60. Default—destruction.

26944. Unshelled brazil nuts. (F.D.C. No. 44838. S. No. 39-864 R.)

QUANTITY: 75 cases, 12 2-lb. bags each, at St. Louis, Mo.

SHIPPED: 10-11-60, from Dallas, Tex., by Hines Nut Co.

LABEL IN PART: (Case) "Golden Goodee Large Brazils Packed by Hines Produce Co., Dallas, Texas" "HHH Brand Large Washed Dyed & Polished" and (bag) "Triple HHH Brand * * * Brazil Nuts Packed by Hines Nut Co., Dallas, Texas."

LIBELED: 10-25-60, E. Dist. Mo. ✓

CHARGE: 402(a)(3)—contained insect-infested, moldy, rancid, shriveled nuts, and empty shells when shipped.

DISPOSITION: 12-14-60. Default—delivered to a public institution for use as animal feed.

26945. Unshelled peanuts. (F.D.C. No. 44831. S. No. 48-539 R.)

QUANTITY: 303 100-lb. bags at Pueblo, Colo.

SHIPPED: 8-31-60, from Franklin, Va.

LIBELED: 10-21-60, Dist. Colo. ✓

CHARGE: 402(a)(3)—contained insects, insect webbing, rodent excreta, and moldy, decomposed nuts while held for sale.

DISPOSITION: 11-22-60. Consent—claimed by McCormick Distributing Co., Pueblo, Colo. Segregated; 525 lbs. denatured for use as animal feed.

26946. Unshelled pecans. (F.D.C. No. 44763. S. No. 27-415 R.)

QUANTITY: 8 cases, 24 1-lb. bags each, at Duluth, Minn.

SHIPPED: 11-27-59, from Chicago, Ill.

LIBELED: 8-4-60, Dist. Minn. ✓

CHARGE: 402(a)(3)—contained insect-infested and moldy nuts while held for sale.

DISPOSITION: 9-16-60. Default—destruction.

26947. Coconuts. (F.D.C. No. 45007. S. No. 33-550 R.)

QUANTITY: 225 sacks at Brooklyn, N.Y.

SHIPPED: 9-2-60, from Mayaguez, P.R.

RESULTS OF INVESTIGATION: Examination showed that the article was submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.

LIBELED: 11-1-60, E. Dist. N.Y. ✓

CHARGE: 402(a)(4)—held under insanitary conditions while in interstate commerce.

DISPOSITION: 12-27-60. Default—destruction.